



# The Connection



Fair Housing Council of the San Fernando Valley

Winter/Spring Edition - 2007/2008

This issue is dedicated to Mr. Kussman, a boundless source of inspiration

## Celebrating the 40th Anniversary

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This years marks the 40th anniversary of the enactment of the Federal Fair Housing Act (Title VIII of the Civil Rights Act of 1968), which was signed by President Lyndon B. Johnson on April 11, 1968, one week after the assassination of Reverend Doctor Martin Luther King, Jr., and codified into law the right of all Americans to have an equal opportunity to housing and live in the neighborhood of their choice.

As we commemorate the anniversary of the Fair Housing Act, we acknowledge the need to continue to promote awareness and enforcement of fair housing

laws and reaffirm our dedication to maintaining equal access to housing for all persons regardless of **race, color, religion, gender, national origin, familial status, disability, sexual orientation, age, marital status and source of income.**

The Fair Housing Act has been the catalyst and opened doors of opportunity for scores of families and individuals by providing equal access to housing whether people are trying to rent, buy, sell, or finance a home. Knowing and understanding these rights are essential.



### ANNUAL POSTER CONTEST



2008

*Congratulations to all our winners!*

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## PASSING OF A CIVIL RIGHTS ICON

Edward Kussman, a Pacoima icon and leader passed away in January 2008. He was 97 years old. Mr. Kussman, known as "Mr. Pacoima," was instrumental in leading Pacoima through its metamorphosis from a small farming community into a thriving part of the City of Los Angeles. He was also a civil rights activist who strove for over 50 years to help Pacoima's low-income and (at that time) predominantly African-American community assert their civil rights. He worked closely with Mayor Tom Bradley and Congressman Howard Berman among others in this endeavor. He was a relentless and courageous fighter for justice and equality who believed in and fought for homes and jobs for minority families who he felt deserved to live as good a life as anyone else. He also sought to revitalize commerce in Pacoima, as well as to provide improved educational opportunities for all. Mr. Kussman used his political clout and his fighting spirit to bring about these changes in the San Fernando Valley, even in the face of death threats to his life.

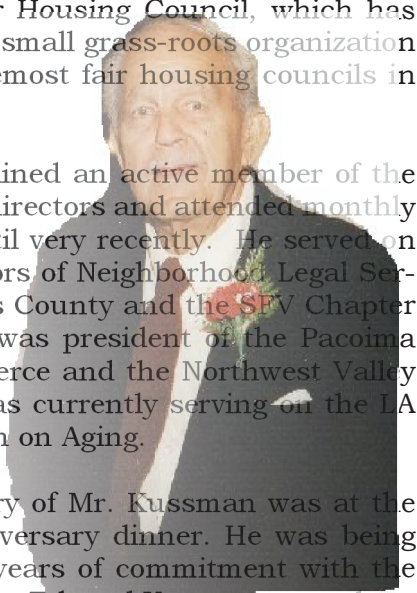
Mr. Kussman was the president of the Fair Housing Council of San Fernando Valley from 1966-1967 as well as one of its founding members. The Council emerged as a result of an outcry of valley residents in response to an African American family's experience when trying to buy their first home in an all-White neighborhood. The family endured everything from brick throwing to shot gun blasts before they were finally allowed to

live in peace. Mr. Kussman played a pivotal role in bringing about changes in the Valley by helping to foster the SFV Fair Housing Council, which has since grown from a small grass-roots organization into one of the foremost fair housing councils in the nation.

Mr. Kussman remained an active member of the Council's board of directors and attended monthly board meetings until very recently. He served on the board of directors of Neighborhood Legal Services of Los Angeles County and the SFV Chapter of the NAACP. He was president of the Pacoima Chamber of Commerce and the Northwest Valley Health Corp. He was currently serving on the LA County Commission on Aging.

Our fondest memory of Mr. Kussman was at the Council's 45<sup>th</sup> anniversary dinner. He was being recognized for his years of commitment with the announcement of the Edward Kussman award, an award which was created in his honor. During his speech, he talked about the fact that he was very upset at the Department of Motor Vehicles because they had taken away his drivers license! Mr. Kussman was 93 years old. He asked the audience if anyone had a connection at the DMV.

We salute our fallen warrior. May you rest in peace. You will surely be missed by the Board of Directors', staff of the Fair Housing Council and the entire San Fernando Valley Community.



## CONGRATULATIONS !!

Congratulations to Denise DeVillegas, our volunteer, on receiving the President's Volunteer Service Award from the President's Council on Service and Civic Participation.

Ms. DeVillegas has been a long time volunteer of the San Fernando Valley Fair Housing Council. She has demonstrated outstanding commitment to our work in assisting clients who have experienced housing discrimination. She has dedicated more than 4000 hours volunteering for the Council on weekends, vacation days and after her full day of work at Neighborhood Legal Services of Los Angeles County.

Once again the Council congratulates Denise on receiving the Bronze Award from the President's Council !!



## SAVE THE DATE

February 12-13, 2009

## FAIR HOUSING LAWS & LITIGATION CONFERENCE San Diego, CA

Research-Rights and Remedies:

Connecting the Dots with Fair Housing Markers - Part 2



### Confirmed Keynote Speaker

Erwin Chemerinsky - Founding Dean

Donald Bren School of Law at UC Irvine

Litigation Conference  
San Diego February 2008





## ANNUAL POSTER CONTEST 2008

The Council hosted its Annual Poster Contest reception at The 7 Mares Restaurant in San Fernando. The Poster Contest Theme this year was: **“Fair Housing Council /SFV Changes Communities – One Neighbor at a Time”.**

### **Congratulations to all our winners:**

#### **A/1-3**

##### **\*.1st Place**

Christian Segoviano,  
Tarzana Elementary.-Tarzana

##### **\*.2nd Place**

Gabriel Montenegro,  
Tarzana Elementary -Tarzana

##### **\*.3rd Place**

Ki Silverstein,  
Tarzana Elementary - Tarzana

#### **B/4-5**

##### **\*.1st Place**

Bailey Anne Ramirez,  
Township Elementary - Simi Valley

##### **\*.2nd Place**

Juan Villagomez,  
Oxnard Elementary – No. Hollywood

##### **\*.3rd Place**

Morvarid Moshtahedian,  
Tarzana Elementary-Tarzana  
**C/6-8**

##### **\*.1st Place**

Adrian Ventura,  
Van Nuys Midd. School Sherman Oaks

##### **\*.2nd Place**

Jordie Guzman, Van Nuys Middle  
School-Sherman Oaks

##### **\*.3rd Place**

James Javier, Van Nuys Middle  
School-Sherman Oaks

##### **Honorable Mention:**

Nicole Anahi Ayala,  
Gridley Elem. School, San Fernando.

### ***We would like to say a special thank you to our sponsors:***

- ☐ National Fair Housing Alliance .
- ☐ Bob Makley, Attorney at law of the Law firm of Berglund, Johnson & Sommer.



Diana Bruno  
Executive Director

### **Save the Date**

Tester Training

June 21th 2008

10:00a.m.

Email

[dbruno@fairhousingcouncil.org](mailto:dbruno@fairhousingcouncil.org)

To RSVP or call 818-373-1185

Manager's Workshop (Spanish)

June 26th 2008

9:30 a.m.

8134 Van Nuys Blvd. Suite 204

Panorama City, CA 91402

RSVP 818-373-1185

Tenant's Workshop

July 11th 2008

1:00 p.m.

Santa Clarita Senior Service Center

24271 San Fernando Rd

Newhall, CA 91321

RSVP 818-373-1185

Manager's Workshop

July 16th 2008

9:30 a.m.

8134 Van Nuys Blvd

Panorama City, CA 91402

RSVP 818-373-1185

## TENANTS AND THE FORECLOSURE CRISIS

On April 28, 2008, Sharon Kinlaw testified at the Federal Reserve hearing regarding the proposed bid by Bank of America Corporation to acquire Countrywide Financial Corporation. Sharon testified about the seemingly forgotten plight of tenants caught up in the foreclosure crisis and the need for Bank of America to establish internal monitoring procedures to address predatory and unfair lending practices that originate with mortgage brokers.

An estimated 20 - 25% of the foreclosures that take place in California involve properties that are not owner-occupied; those numbers are exceedingly higher in some markets, especially in hard-hit areas like the San Fernando Valley where foreclosures are at an all-time high. Very little is

being done to emphasize or solve the unintended quagmire that tenants find themselves in through no fault of their own.

Tenants are facing the loss of their homes, although they have paid their rent timely and have valid leases. Some find themselves in the dark, with no electricity or running water after the utilities are turned off, and, many find themselves in court facing eviction, which damages their rental history for the next seven years making it virtually impossible to find safe and habitable housing. In addition to finding themselves on the street, tenants are losing thousands of dollars in the non refund of security deposits. The Council receives numerous calls from tenants, (many of whom are low-income single

mothers, seniors and persons with disabilities) who are caught in the cross-fire of banks, borrowers and investors unprepared and with few options.

The acquisition of Countrywide presents an opportunity to recognize the crisis that tenants find themselves in and to develop solutions to aid innocent tenants during this historical crisis. As a part of Sharon's testimony to the Feds, she proposed that Bank of America consider the following:

Create an entity or partner with a non-profit to manage foreclosed properties that are tenant occupied.

Enter into short term rental agreements with tenants who are unable to move.

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On April 3, 2008, the Ninth Circuit Court of Appeals issued its decision in the *Fair Housing Councils v. Roommates.com* case. The court ruled that Roommates can be sued for violating fair housing laws and that it was not protected under Section 230 of the 1996 *Communications Decency Act (CDA)*.

The lawsuit against Roommates was initially filed in 2003 by the Fair Housing Council of the San Fernando Valley and the Fair Housing Council of San Diego; the groundbreaking lawsuit was the first to address advertising on the Internet and the relationship between the Communication Decency Act's grant of immunity and the Fair Housing Act's imposition of liability for the making and/or publishing of discriminatory real estate ads.

Roommates contended that the website should be granted immunity under the CDA because users of the website created all the content and Roommates was simply posting the information users provided, including their protected class status and the preferred characteristics for each applicant.

The Councils argued that roommates was more than just a passive conduit of information and in fact was responsible for the creation, development and dissemination of a discriminatory questionnaire. The questionnaire, which users were required to complete had limited pre-set answers regarding gender, marital status, sexual

orientation, and whether or not children will reside in the household. Users of the website were required to provide this information as a condition of accessing the website.

Federal Judge Percy Anderson ignored the Council's argument dismissed the lawsuit on a summary judgment motion filed by the defense, ruling that Roommates was immune from prosecution under the Fair Housing Act because Section 230(c)(1) of the 1996 *Communications Decency Act* provides immunity from liability for providers and users of an "interactive computer service" who publish information provided by others.

The lawsuit was appealed and in May 2007, a 3-judge panel ruled that Roommates.com was not entitled to immunity under the CDA as it was responsible for drafting, publishing and distributing questionnaires that solicited information from users of the site about their roommate preferences. The required information was used to create member profiles, which in turn were used to notify members of potential matches. Members were steered to or prohibited from viewing listing based on their profiles.

An en banc review was granted and on December 12, 2007, Mike Evan made oral arguments before the panel. In an 8-3 decision, with Chief Judge Alex Kozinski writing for the majority, affirmed the May 15, 2007 ruling. Judge Kozinski emphasized the importance of this complaint and the court's deci-

sion writing "that no other circuit has considered a case like ours and none has a case that even arguably conflicts with our holding today. No case cited by the defense involves active participation by the defendant in the creation or development in the alleged unlawful content."

The judge pointed out in his decision that "a real estate broker may not inquire as to the race of a prospective buyer" and that "If such questions are unlawful when posed face-to-face or by telephone, they don't magically become lawful when asked electronically online. The Communications Decency Act was not meant to create a lawless no-man's-land on the Internet."

There has been an inordinate amount of conversation and buzz across the Internet about the Roommates.com complaint and some of it has not been complimentary; the fair housing community as a whole has focused on the Craigslist litigation, which to date has survived every CDA immunity challenge.

The Fair Housing Councils of San Fernando Valley and the Fair Housing Council of San Diego pursued this litigation and ventured out into cyberspace for the sole purpose and in support of their joint missions to eradicate unlawful housing discrimination. Because of the novel issues surrounding this case, we fully expect the saga to continue to eventually wind up at the doorstep of the United States Supreme Court.



Continued from page 3...

## TENANTS AND THE FORECLOSURE CRISIS

Refer tenants who may be able to purchase their homes to counseling agencies for assistance.

Implement a lease to own program for tenants and use their security deposit as a credit towards the down payment.

Voluntarily agree to give tenants a minimum 90-day notice and for disabled tenants and seniors, extend the notice to 120 days.

Provide grants to non-profits to help tenants relocate and to assist with relocation expenses. Prior to filing an eviction refer tenants to non-profits.

Lobby Congress to grant a tax credit to financial institutions that create innovative programs such as lease to own, or non-profit receiverships, as well as to owners of property who will agree to rent to homeowners or tenants who have marred credit histories as a result of the foreclosures.

Honor existing leases and finally regarding predatory and unfair lending practices. The Federal Reserve should require that as a condition of the acquisition, Bank of America should review and/or audit all of the at-risk loans to

determine if any fraud, steering or unfair lending practices occurred. In cases where brokers are known to have engaged in predatory tactics or for those brokers whose names show-up frequently as a result of the review, the loan packages should be scrutinized and proper referrals should be made to regulatory and law enforcement agencies so that those individuals aren't left to prey on the unsophisticated and unsuspecting public.





## FREE FORECLOSURE ASSISTANCE



ARE YOU AT RISK OF FORECLOSURE?

**If you are at risk of losing your home to foreclosure and suspect that you are a victim of unfair lending practices, such as mortgage fraud or predatory lending, please call the Fair Housing Council of the San Fernando Valley for assistance at (818) 373-1185 or log onto the web @ [www.FHCSFV.org](http://www.FHCSFV.org).**

**If you need assistance because you are behind in your mortgage payment and need help, FREE Foreclosure Counseling is available at Los Angeles - Neighborhood Housing Services and the Center for Foreclosure Solutions at (213) 381-2862 or (888) 995-HOPE.**



**HELP IS ONLY A PHONE CALL AWAY – CALL TODAY  
SAVE A HOME – SAVE A FAMILY – SAVE A NEIGHBORHOOD!**

## FHCSFV TENANT/LANDLORD RESOURCE LEGAL CLINIC

Due to the support in part by a grant from the Valley Community Legal Foundation, the Fair Housing Council/SFV launched a tenant/landlord resource clinic in June of 2007.

This clinic was created to fill in the critical gaps in legal services and representation in the San Fernando Valley and surrounding areas to those tenants who were unable to afford legal counseling, document preparation and court representation.

The clinic provided much needed assistance to the community by assisting tenants with written responses to 3, 30 and 60 day notices; preparing demand letters for

the return of security deposits, addressing issues of habitability, written response to UD's (unlawful detainers), interrogatories, etc.

Lower-income tenants in need of legal assistance were able to take advantage of the services provided by the clinic. Basic tenant/landlord issues and assistance with securing effective legal representation in court were provided to tenants. Landlords in need of assistance also took advantage of the resources provided by the clinic.

As a result of its resounding success, the clinic continues to provide services to both tenant and landlord.



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**Sandy Couch**  
Litigation Coordinator

**David Elder**  
Consulting Attorney





# SETTLED CASES

**Jose De Jesus Cardova, Vs. Astoria Gardens**  
**Case # BC34388**                      **Atty: Zamos**  
**National Origin**                      **Settled: \$96,000**

**Olga Osorio (+ 15) And FHCSFV Vs. Rao Yalamanchili**  
**Case #PC038050**                      **Atty: Elder**  
**Familial Status/National**                      **Settled: \$475,000**  
**Origin/ Habitability**

**Manuel Diaz (Plus 27) And FHCSFV**  
**Case #PC038051**                      **Atty: Elder**  
**Habitability / Retaliation**                      **Settled: \$270,000**  
**/ Nat'l Origin**

**Fair Housing Council, Et Al Vs. Steven Berman, Et Al**  
**Case Number: CV06-1541 Sjo**                      **Atty : Okojie**  
**Familial Status / Race / Habitab.**                      **Settled:\$300,000**

**Fair Housing Council SFV Vs Pineridge Property Management**  
**Case #: CV-07-0388 PA**                      **Atty: Christopher Brancart**  
**Disability/Soi**                      **Settled: \$50,000**

**Jose Bermudez Et Al Vs. Stacey Nate Et Al**  
**Case Number: Bc358466**                      **Atty: Elder & Makley**  
**National Origin /**                      **Settled \$69,000**  
**Habitability / Familial Status**

**Rosetta Goldstein Vs. Northridge Country Community Association**  
**Case #BC 357346**                      **Atty: Odion Okojie**  
**Disability**                      **Settled: \$67,000**

**David Hanson Vs. Golden West**  
**Case Number: LC078757**                      **Atty: Margaret Elder**  
**Filing Date: 08/08/2007**                      **Settled: \$83,600**  
**Disability**

**Isabel Simon / FHCSFV Vs. Uri Bromberg**  
**Case Number: EC045464**                      **Atty: Margaret Elder**  
**Filing Date: 08/08/2007**                      **Settled: \$335,000**  
**National Origin /Habitability**

**Jazmin Vasquez Et Al Vs 1402 Alta Vista Partners Llc Et Al**  
**Case Number: BC357233**                      **Atty: Odion Okojie**  
**Disability**                      **Settled: \$138,000**

**Fair Housing Council, Et Al Vs Collins Manor Apt, Et Al**  
**Case Number: CV06-1540 FMC**                      **Atty: Okojie/Zamos**  
**Filing Date: 03/13/2006**                      **Settled: \$ 435,000**  
**Familial Status /Habitability**

**Claudia Garcia V. Stamboltsyan**  
**Case #LC073529**                      **Attorney M. Elder**  
**Disability/Nat'l Origin**                      **Settled: \$80,000**

**Marchel Et Al V. SSLC Royal Sepulveda**  
**Case #BC348231**                      **Atty: O. Okojie**  
**Disability**                      **Settled: \$ 90,000**

**Doris Morrow V. Harmony Terrace**  
**Case #: CV067-46**                      **Atty: Okojie**  
**Age/Disability**                      **Settled: \$ 50,000**

**Rodriguez Et Al V. D H Manor Properties**  
**Case Number: BC363010**                      **Atty: Okojie**  
**Disability**                      **Settled: \$ 50,000**

**Chun Pak Vs. Ami Townhome Hoa**  
**Case Number: CV-071487**                      **Atty: Okojie**  
**Disability**                      **Settled: \$ 54,000**

## Events - Miscellaneous



H. Ayala-FHC/SFV and  
 Carlos Zapata journalist  
 Channel 54



D. Bruno Executive Director  
 FHC/SFV and  
 D. Bartholomew Journalist  
 Daily News L.A.



Booth City of Simi-  
 Valley May 2008



Annual Poster Contest  
 D. Bruno, Executive Director  
 R. Cooper, Board President



Senator Alex Padilla -  
 Foreclosure Prevention  
 Event in the City of San  
 Fernando.



# Fair Housing Council of the San Fernando Valley, rinde tributo a los Medios de Comunicación.

## Canales de televisión

### Channel 22

✧ Cinthia Hill

### Channel 34

✧ Teresa Quevedo

✧ Francisco Ugalde

✧ Erika Flores

✧ Jose Luis Sierra

### Channel 54

✧ Carlos Zapata

✧ Luis Treto

### Channel 62

✧ Yanina Rivas

✧ Balbino Aviles

✧ Alicia Unger

## Prensa Escrita

### Daily News L.A.

✧ Dana Bartholomew

### La Opinion

✧ Yurina Rico

### Diario HOY

✧ Francisco Castro

**Galardonados**

FAIR HOUSING COUNCIL of the San Fernando Valley ha otorgado a UNIVISION y a los periodistas: Francisco Ugalde, Teresa Quevedo, Erika Flores y Jose Luis Sierra, merecedores por entrevistas y reportajes realizados y publicados por los Noticieros de UNIVISION.

Por su valioso aporte en la lucha por erradicar la discriminación en la vivienda de nuestra sociedad, informando y educando a nuestra comunidad y a toda la gran teleaudiencia. Pues gracias a esta importante misión podemos vivir y disfrutar de nuestra vivienda libre de discriminación. También, KMEX Canal 34-Univisión ha sido galardonado con el premio Kussman, en honor a uno de los Fundadores del Fair Housing Council / SFV. Ex- Presidente del Board, y Miembro de numerosas agencias, de la ciudad de Los Angeles, que representó en el transcurso de su vida el Señor Edward Kussman, incansable luchador de los derechos civiles en el Valle de San Fernando, a quien llamaban con el sobre nombre de "Mr.Valley."

Esta acción, va acorde a nuestra Celebración del mes de abril, como el mes del Fair Housing,



Maximo Galardon Otorgado al Canal 34-KMEX-UNIVISION  
"Edward Kussman - Award"

cumpléndose este año los 40 años de la Puesta en Práctica de las Leyes del Fair Housing a nivel Nacional (1968-2008) y a nivel local 49 años sirviendo a toda la comunidad del Valle de San Fernando (1959-2008).

Y dentro de este marco, el 30 de abril del 2008, celebramos a los medios de Comunicación, en el 7 Mares Restaurante, en la ciudad de San Fernando, fue una fiesta muy especial en el cual honramos y valoramos su labor de comunicador social.



This issue is dedicated to Mr. Ed. Kussman,  
a boundless source of inspiration.

**Fair Housing Council of the San Fernando Valley**

8134 Van Nuys Blvd. # 206  
Panorama City, CA. 91402

Phone : 818-373-1185  
Toll-Free: 1-800-487-2617  
Fax : 818-373-1193  
Web site : [www.fhcsfv.org](http://www.fhcsfv.org)



*Support The Fair Housing Council!*

Name : \_\_\_\_\_  
Organization : \_\_\_\_\_  
Address : \_\_\_\_\_  
City, State : \_\_\_\_\_ Zip Code \_\_\_\_\_  
Phone, Email : \_\_\_\_\_

Select One :

INDIVIDUAL ☐

ORGANIZATION ☐

Select One : Contributing Member (\$25) ☐ Supporting Member (\$50) ☐

Sustaining Member (\$75) ☐ Sponsoring Member (\$100) ☐

Mail to :  
Fair Housing Council of the San Fernando Valley  
8134 Van Nuys Blvd. Suite # 206  
Panorama City, CA. 91402

**Fair Housing it's not an option...  
... IT'S THE LAW!!.**